

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

In re:	§	
CHRISTOPHER BRANDON JUDGE and	§	CASE NO.: 23-41465-ELM7
RAQUELLE ANN JUDGE	§	
Debtor(s)	§	
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KRISTIN NEWMAN	§	
<i>Plaintiff</i>	§	
vs.	§	ADVERSARY NO.: 23-04066-ELM
CHRISTOPHER BRANDON JUDGE ET	§	
AL.	§	
<i>Defendants</i>	§	

**UNOPPOSED MOTION FOR CONTINUANCE AND
REQUEST FOR A NEW SCHEDULING ORDER**

Pursuant to the Federal Rules of Civil Procedure and the Local Rules, Plaintiff Kristin Newman (“Plaintiff”) files this Unopposed Motion for Continuance and Request for a New Scheduling Order and state:

1. On November 22, 2022, Plaintiff filed a lawsuit in the 249th District Court for Johnson County, Texas, Cause No. DC-C202200572. On May 23, 2023, Defendants filed a petition for relief under Chapter 7 of the United States Bankruptcy Code (Title 11) in Case No. 23-41465-7. Accordingly, Plaintiff’s lawsuit in the 249th District Court was stayed. On August 15, 2023, Plaintiff filed this Adversary Proceeding in this Court. On September 15, 2023, Defendants filed their answer to the Adversary Proceeding in this Court.
2. On August 16, 2023, the Court issued a scheduling order setting the case for trial on February 5, 2024.

3. Plaintiff and Defendant have exercised diligence in conducting discovery of the facts that could be developed. The Parties have conducted written discovery. Due to the holidays and party availability, the Parties have not been able to complete depositions.

4. Furthermore, additional fact and expert discovery is needed for trial. Despite their best efforts, both parties need additional time to conduct fact and expert discovery prior to the trial of this case.

5. The United States anticipates that a ninety (90) day continuance of the docket call date and an extension of all deadlines will allow Education time to consider the Attestation and what position to take in this lawsuit. The motion is made in good faith, to conserve judicial resources, and not to prejudice any party or to undue delay proceedings. The United States respectfully requests the Court enter an order continuing the docket call date for at least ninety (90) days, extending the deadlines set forth in the Alternate Scheduling Order in accordance with paragraph 7 of the order, and for such other relief it may show itself entitled.

6. Plaintiff anticipates that a six (6) month continuance of the docket call date and an extension of all deadlines will allow the Parties to gather and consider information through discovery. Plaintiff believes a continuance of the case, are in the best interest of the clients and the orderly administration of this case. This motion is made in good faith, to conserve judicial resources, and not to prejudice any party or to unduly delay proceeding. Plaintiff respectfully requests the Court enter an order continuing the docket call date six (6) months, extending deadlines set forth in the Scheduling Order, and for such other relief it may show herself entitled.

THEREFORE, Plaintiff respectfully requests that the Court grant this Motion for Continuance, issue an amended scheduling order with new dates for disclosure of experts and

discovery from fact and expert depositions, and resetting the trial date by six months. Plaintiff requests that the Court grant all other relief to which they may be justly entitled.

Respectfully submitted,

/s/ Michael S. Newman
Michael S. Newman
Bar No 14963900
8813 N. Tarrant Pkwy., Ste. 252
North Richland Hills, TX 76182
Phone: 817-656-8100
Email: mike@newmanlawtx.com

Kristin Newman
Bar No 24102279
1409 Kaitlyn Lane
Keller, TX 76248
T: 817-480-5877
E-Mail: kristinnewman@me.com

CERTIFICATE OF CONFERENCE

On January 8, 2024, Michael Newman conferred with Clayton Everett and Mr. Everett agreed to this unopposed motion for continuance.

By: */s/ Michael Newman*

CERTIFICATE OF SERVICE

I certify that on January 12, 2024, a true and correct copy of the foregoing has been served on all parties using the Court's Electronic Filing System.

By: */s/ Michael Newman*